#518

BILL NO. Z-92-07-02

ZONING MAP ORDINANCE NO. Z-06-92

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-3 (Heavy Industrial) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot #7, #8, #9 and #10 in Didrick's Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record #6, Page 99, in the Office of the Recorder of Allen County, Indiana,

and the symbols of the City of Fort Wayne Zoning Map No. Q-3, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Mark E. Giaquinta
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Edmonds, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held ~~after due~~ legal notice, at the Common Council Council ~~Conference Room 128, City-County~~ Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____M.,E.S.T.

DATED: 7-14-92.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 8-11-92.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ (ZONING) ORDINANCE ~~RESOLUTION~~ NO. Z-06-92 on the 11th day of August, 19 92

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Thomas C. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of August, 19 92, at the hour of 10:30 o'clock ~~P~~ A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of August, 19 92, at the hour of 1:00 o'clock P M., E.S.T.

PAUL HELMKE, MAYOR

PRESCRIBED BY STATE BOARD OF ACCOUNTS BOYCE FORMS SYSTEMS, MUNCIE, ILL.

GENERAL FORM NO. 352

RECEIPT

Ck 7640

№ 10921

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND., July 19 1992

RECEIVED FROM Anthony Wayne Corp. $200.00

THE SUM OF Two Hundred and no/100's DOLLARS

ON ACCOUNT OF Rezoning - 2535 Wayne Trace

W. E. O[illegible]

AUTHORIZED SIGNATURE

PAID BY: CASH ☐ CHECK ☐ M.O. ☐

RECEIPT NO. _____

DATE FILED June 19, 1992

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Anthony Wayne Corporation
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-2 District to a/an M-3 District the property described as follows:

JRP Lot #7, ~~The [illegible] 5 feet of Lot #7~~, Lot #8, Lot #9, and Lot #10 in Didrick's Addition to the City of Fort Wayne; according to the plat thereof, recorded in Plat Record #6, Page 99, in the office of the recorder of Allen County, Indiana.

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

Fort Wayne Anodizing, 2535 Wayne Trace 46803, Phone: 219/424-1030

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Anthony Wayne Corporation	702 Commerce Bldg., Ft. Wayne IN 46802	W. [illegible] Pres.
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submittec to the City Plan Commission prior to the legal notice pertaining to the ordina being sent to the newspaper for legal publication. If the request for deferra continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at wh: it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that ar ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the ma for hearing before the City Plan Commission. (FILING FEE $100.00)

Name and address of the preparer, attorney or agent.

James R. Poiry J R Poiry	Fort Wayne Anodizing 2535 Wayne Trace 46803	219/424-1030
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hear: approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

The Southern 5 feet of Lot #7, Lot #8, Lot #9, and Lot #10 in Didrick's Addition to the City of Fort Wayne; according to the plat thereof, recorded in Plat Record #6, page 99, in the office of the recorder of Allen County, Indiana.

Owners of Property

(Name)	(Address)	(Signature)
Anthony Wayne Corporation	702 Commerce Bldg. Ft. Wayne IN 46802	W. Allen Bro.

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1992 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-92-07-02; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1992.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1992.

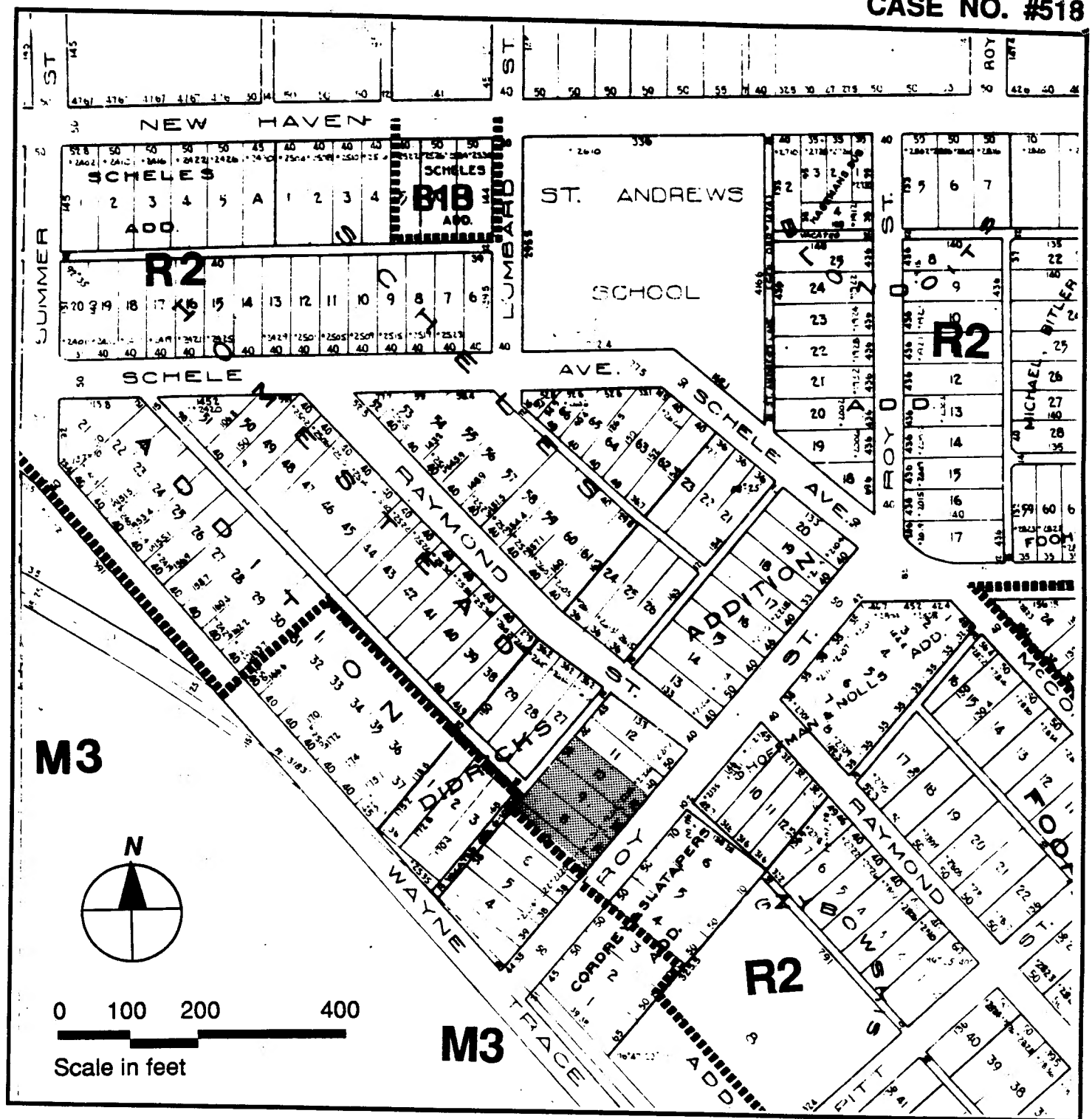
Certified and signed this
28th day of July 1992.

Robert Hutner
Secretary

REZONING PETITION

AREA MAP

CASE NO. #518



COUNCILMANIC DISTRICT NO. 1

Map No. Q-3
LW 6-22-92

R1	One-Family	**B1**	Limited Business	**M1**	Light Industrial
R2	Two-Family	**B2**	Planned Shopping Center	**M2**	General Industrial
R3	Multi-Family	**B3**	General Business	**M3**	Heavy Industrial
RA/RB	Residential	**B4**	Roadside Business	**MHP**	Mobile Home Park
PUD	Planned Unit Dev.	**POD**	Professional Office District		

FACT SHEET

Z-92-07-02
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Map Amendment
From R-2 to M-3

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
2535 Wayne Trace

Reason for Project
Future expansion of Fort Wayne Anodizing.

Discussion (Including relationship to other Council actions)

20 July 1992 - Public Hearing

See Attached Minutes of Meeting

27 July 1992 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted in favor of the motion, one (1) did not vote.

Motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Anthony Wayne Corporation **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Detail column for condition
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 19 June 1992

Projected Completion or Occupancy Date 28 July 1992

Fact Sheet Prepared by Date 28 July 1992

Patricia Biancaniello

Reviewed by Date 3 AUGUST 1992

Reference or Case Number

Bill No. Z-92-07-02 - Change of Zone #518
From R-2 to M-3
2535 Wayne Trace

Bill Branstrator, general manager of Fort Wayne Anodizing, 2535 Wayne Trace, appeared before the Commission. Mr. Branstrator stated that Fort Wayne Anodizing was started in 1953, and it was purchased in 1973 by Harris-Kayot, which is locally and privately owned and operated company. He stated that at present time they have 38 full time employees and 15 part time employees. He stated that they do four different types of processes and they are different from a plating shop in that they are not dealing in any of the materials that are related to a plating shop. He stated that their plans are for a 7200 sq ft hard-coat anodizing expansion. He stated that this will be their 4th expansion since the company was purchased in 1973. He stated that the anodizing process is the cleanest part of the business for metal finishing as far as OSHA and EPA is concerned. He stated that with the expansion they are talking about $200,000 in cost for the new building, which will be handled by local contractors. He stated that they will be hiring an additional 12 to 18 full time employees. He stated that about 6 years ago they made promises to the City that they would uphold the grade of the neighborhood. He stated that they have done so by sodding their lawn and plantings. He stated that one of the last pieces of property they purchased was to the west of the building and they bought a condemned home and they have turned it into a green space. He stated that every property purchased by this company has been a condemned one. He stated that they have tried to purchase them and eliminate some of the eyesores in the area. He stated that Fort Wayne Anodizing has a long term commitment to the city in their location. He stated they have been in this area for 40 years. He stated that their lease does not run out until the year 2007. He stated that they also have two 5 year options that they can exercise at any time. He stated that their jobs are good paying jobs, running around $10.75 per hour, they have full paid vacations, a pension program all holidays are paid and health insurance. He stated that they will not be detracting from the neighborhood and there will be no increased traffic on Roy Street. He stated that with the completion of the new building there will be 42 feet between the new building and the property line.

Robert Wright stated that the staff gave a do not pass recommendation but references some accommodations and questioned how we could best accommodate this company.

Greg Purcell, Executive Director of Community and Economic Development stated that the staff does have some mixed feelings on this request. He stated that the staff is interested in trying to accommodate and Steve Ranshaw and Mr. Branstrator had conversations concerning what could be done last week. He stated that the staff has some concerns about protecting what is left of the neighborhood. He stated that perhaps instead of rezoning a variance would be the way to go. He stated that is what they have been

discussing. He stated that hopefully they will have come to some resolution by the business meeting on Monday night and the staff could give them a report at that time. He stated that he felt the petitioner would prefer the rezoning, because for their long term interest that is probably their preferred alternative. He stated that they would at least like the opportunity to negotiate some other alternatives.

Bill Brown, representing the Old Penn Central Area Business Association, founded this year with a current membership of 35, appeared before the Commission. He stated that he feels what the petitioner is requesting to do is directly in line with their goals of business expansion and development, elimination of blight and job creation. He stated that it seemed to him that Fort Wayne Anodizing is about as good a corporate neighbor as you could find in the urban core. He stated he did not think the Commission should think about taking a chance on not accommodating their expansion, risking the fact of them relocating into the periphery. He stated that he realized there are difficulties that come into play with M-3 zoning. He stated he realized it was a tough decision for the Commission. He stated that the Old Penn Central Area Business Association intend to try and make the businesses and industry in the area realize that they need to be good corporate neighbors and support the residential areas that are around the existing urban core.

Archie Lunsey, Councilman for the 1st District spoke in favor of this rezoning. Mr. Lunsey stated that he has had a chance to go over the plans and has spoke with Mr. Branstrator concerning the traffic patterns and air pollution that could result with this expansion. He stated this company pays a good wage and this expansion will further increase employment. He stated that this is what they want to see in the inner core of the city, people expanding their businesses and taking care of their employees and in turn looking out for the residential areas. He stated that he has been in the real estate business and has been an appraiser for over 16 years and in his professional opinion he did not feel that this expansion would adversely affect the property values in the area.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.

ORIGINAL ORIGINAL

#518

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 2535 Wayne Trace

2-92-07-021

EFFECT OF PASSAGE Property is currently zoned R-2 - Two Family Residential. Property will become M-3 - Heavy Industrial District.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family Residential District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE)

BILL NO. Z-92-07-02

REPORT OF THE COMMITTEE ON
REGULATIONS

CLETUS R. EDMONDS, CHAIR
MARK E. GiaQUINTA, VICE CHAIR
RAVINE, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort Wayne Zoning Map No. Q-3

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

DO PASS	DO NOT PASS	ABSTAIN	NO REC
C R Edmonds			
Mark E. GiaQuinta			
Rebecca Ravine			

DATED: 8-11-92.

Sandra E. Kennedy
City Clerk